IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 5541 of 2005

Between:

1 A. Srinivas Naidu S/o Ramu Naidu
The District Cooperative Central Bank Ltd.,

Vizianagaram Branch, Vizianagaram District
2 P. Lakshmana Rao S/o Late Sanyasaiah
The District Cooperative Central Bank Ltd.,

Gantyada Branch, Vizianagaram District
3 P. Suryanarayana S/o Late Venkataswamy
The District Cooperative Central Bank Ltd.,

Gajapathingaram Branch, Vizianagaram District
4 N. Simhadri Raju S/o Sundara ramachandra Raju
The District Cooperative Central Bank Ltd.,

Nellimarla Branch, Vizianagaram District
5 K. Satyanarayana S/o Late Tata
The District Cooperative Central Bank Ltd.,

Gajapathingaram Branch, Vizianagaram District

..... PETITIONERS

AND

1 The Government of Andhra Pradesh,

Cooperation Department repby its Secretary,
Secrtariat, Hyderabad
2 The District Cooperative Central Bank Ltd.,

rep by General Manager, Vizianagaram, Vizianagaram District
3 K. Chiranjeevi Rao AGM(Devp)/Enquiry Officer,

The District Cooperative Central Bank Ltd.,
Vizianagaram, Vizianagaram District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus" declaring

the action of the 2nd respondent in not revoking suspension orders against the petitioners in spite of the findings of the 3rd respondent that the charges are not proved as illegal, arbitrary and violative of principles of natural justice and also violative of article 14, 16 and 21 of the Constitution of India besides against to the provisions of the A.P. Cooperative Societies Act 1064 and Rules made there under and also contrary to the Service rules of the petitioners and consequently direct the 2nd respondent to reinstate the petitioners into service forthwith and pass such other order or orders as it may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.V.AJAYAKUMAR

Counsel for the Respondent No.1: GP FOR COOPERATION

Counsel for the Respondent Nos.2 and 3: MR K.SRINIVASA MURTHY

The Court at the admission stage made the following:

ORDER:

Declaring the action of the 2nd respondent in not revoking suspension orders against the petitioners, in spite of the findings of the 3rd respondent, the present writ petition is filed.

Heard the learned Counsel for the petitioners and the learned Counsel for respondents

It is brought to the notice of this Court by the learned Counsel for the petitioners that the Enquiry Officer conducted enquiry and submitted a report to the disciplinary authority. The disciplinary authority has to take appropriate decision in accordance with law.

Therefore, without entering into the merits of the case, the 2nd respondent is directed to take appropriate decision, in pursuance of the report, submitted by the Enquiry Officer, within a period of one month from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. No order as to costs.

Dated: 18.03.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Secretary,

Cooperation Department,

Government of A.P.

Secretariat, Hyderabad

2. The General Manager,

The District Cooperative Central Bank Limited,

Vizianagaram, Vizianagaram District

3. The Enquiry Officer (AGM (Devp)),

The District Cooperative Central Bank Limited,

Vizianagaram, Vizianagaram District

4. Two CCs to the Government Pleader for

Cooperation, High Court Buildings,

Hyderabad (OUT)

5. Two CD copies

*Form-NIC-OGS/WP{**TRT**}*